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March 27, 2024

BY ECF

Hon. Jennifer H. Rearden
 United States District Judge
 Southern District of New York
 500 Pearl Street
 New York, NY 10007

Application GRANTED. Defendants' deadline to respond to the Complaint is extended to **Tuesday, May 28, 2024**. The parties deadline to file the joint letter is extended to **Friday, May 31, 2024**. The parties are reminded that the Court can refer this matter to the S.D.N.Y. Mediation Program or to the designated Magistrate Judge for settlement, if they wish. SO ORDERED.


 Jennifer H. Rearden, U.S.D.J.
 Dated: March 29, 2024

Re: *L.H. v. New York City Dep't of Educ., et al.*
 23-cv-10955-(JRH)

Dear Judge Rearden:

I am counsel for the Plaintiff in the above-referenced matter. I write jointly with Defendants' counsel on behalf of both parties to request an extension of time to file the joint letter as per Your Honor's Order. ECF Nos. 8, 13, 14 and 16. The parties are requesting an extension of time to file the joint letter to May 31, 2024 or, alternatively, *a sine die* extension for the reasons set forth herein. This is the parties' third joint request to extend the time to file the Joint Letter. Additionally, Defendants are requesting an extension of time to file their response to Plaintiffs' complaint, an application to which Plaintiffs consent, from April 5, 2024 to May 28, 2024. This is Defendants' third request to extend their time to respond. The reasons for these applications are below.

The parties are pleased to report that, as of today, Defendants' counsel has advised Plaintiffs' counsel Defendants are open to settlement and interested in receiving a settlement demand. Thus, we can confirm that this matter is moving to a settlement track. Plaintiffs' counsel needs some time to speak to her client and submit a proposed settlement demand. However, Defendants' counsel will be out of the country from April 3 to April 14, 2024, then the DOE is closed from April 22, 2024 until April 30, 2024. Plaintiffs' counsel will be out of the country from May 2, 2024 to May 12, 2024, although Plaintiffs' counsel can assign someone to negotiate that week in her stead if an offer is made.

It is for this reason that the parties would like to take at least 60 days to determine whether we can arrive at a settlement in principle of the substantive issues, after which time attorney's fees may need to be negotiated. Thus, we are requesting an extension of time to May 31, 2024 to file the joint letter, which would give Plaintiffs time to review Defendants' answer prior to the time the joint letter has to be filed, assuming the parties' settlement efforts are unsuccessful. If, at that

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time, progress on settlement has been meaningful, the parties may ask for a further extension of time to remain on settlement track. Alternatively, the parties are requesting that the joint letter deadline be extended sine die and the parties be directed to file a joint settlement status letter on May 16, 2024.

In light of the above, Defendants are requesting a third extension of time to answer the complaint, from April 5, 2024 (ECF No.15) to May 28, 2024. For the reasons stated herein, Plaintiffs consent.

Thank you for Your Honor's consideration of the above.

Respectfully submitted,

/s/
Elisa Hyman, Esq.

cc: Attorneys of Record
(via ECF)